

UNITED STATES DISTRICT COURT

for the

Southern District of New York

United States of America)

v.)

JOSE VELASQUEZ)

Case No: 11 Cr. 314-1 (PGG)USM No: 05786-158Date of Previous Judgment: 03/15/2012)Felix Lopez Montalvo

(Use Date of Last Amended Judgment if Applicable))

Defendant's Attorney**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 151 months months **is reduced to** 124 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 33Amended Offense Level: 31Criminal History Category: IICriminal History Category: IIPrevious Guideline Range: 151 to 188 monthsAmended Guideline Range: 121 to 151 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- ☒ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain):

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 03/15/2012 shall remain in effect.

IT IS SO ORDERED.Order Date: 06/09/2020

Judge's signature

Effective Date: 06/19/2020

(if different from order date)

Hon. Paul G. Gardephe, U.S.D.J.

Printed name and title